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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,865	10/06/2000	David Allison Bennett	PSTM0019/MRK	2835

29524 7590 02/28/2003

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PASADENA, CA 91101-4710

EXAMINER

RICE, KENNETH R

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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09/684885

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16

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) MARILYN RAMSDEN (3) \_\_\_\_\_

(2) KENNETH RICE (4) \_\_\_\_\_

Date of Interview 2/13/03

Type: ☒ Telephonic ☐ Televideo Conference ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No If yes, brief description: \_\_\_\_\_

Agreement ☒ was reached. ☐ was not reached.

Claim(s) discussed: 1

Identification of prior art discussed: RAMSDEN ET AL.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: APPROVED

AMENDMENT TO CLAIM 1 (ATTACHED) WAS DISCUSSED AND AGREED TO  
BE ALLOWABLE OVER THE ORIGINAL PART OF RECORD. THE REMAINING  
INDEPENDENT CLAIMS WOULD ALSO BE ALLOWABLE WITH SIMILAR  
AMENDMENTS

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

*[Signature]* 2/28/03

## Manual of Patent Examining Procedure, Section 713.04 Substance of Interview must Be Made of Record

Except as otherwise provided, a complete written statement as to the substance of any face-to-face or telephone interview with regard to an application must be made of record in the application, whether or not an agreement with the examiner was reached at the interview.

### §1.133 Interviews

(b) In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111 and 1.135. (35 U.S.C. 132)

§ 1.2. Business to be transacted in writing. All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete a two-sheet carbon interleaf Interview Summary Form for each interview held after January 1, 1978 where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks in neat handwritten form using a ball point pen. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, pointing out typographical errors or unreadable script in Office actions or the like, or resulting in an examiner's amendment that fully sets forth the agreement are excluded from the interview recordation procedures below.

The Interview Summary Form shall be given an appropriate paper number, placed in the right hand portion of the file, and listed on the "Contents" list on the file wrapper. In a personal interview, the duplicate copy of the Form is removed and given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephonic interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication.

The Form provides for recordation of the following information:

- Application Number of the application
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (personal or telephonic)
- Name of participant(s) (applicant, attorney or agent, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the claims discussed
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). (Agreements as to allowability are tentative and do not restrict further action by the examiner to the contrary.)
- The signature of the examiner who conducted the interview
- Names of other Patent and Trademark Office personnel present.

The Form also contains a statement reminding the applicant of his responsibility to record the substance of the interview.

It is desirable that the examiner orally remind the applicant of his obligation to record the substance of the interview in each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check a box at the bottom of the Form informing the applicant that he need not supplement the Form by submitting a separate record of the substance of the interview.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview:

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner. The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he feels were or might be persuasive to the examiner,
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete or accurate, the examiner will give the applicant one month from the date of the notifying letter to complete the reply and thereby avoid abandonment of the application (37 CFR 1.135(c)).

#### Examiner to Check for Accuracy

Applicant's summary of what took place at the interview should be carefully checked to determine the accuracy of any argument or statement attributed to the examiner during the interview. If there is an inaccuracy and it bears directly on the question of patentability, it should be pointed out in the next Office letter. If the claims are allowable for other reasons of record, the examiner should send a letter setting forth his or her version of the statement attributed to him. If the record is complete and accurate, the examiner should place the indication "Interview record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Proposed Claim Amendment

February 13, 2003

password-protected email to Primary USPTO Examiner Kenneth R. Rice  
sent pursuant to telephone interview of February 10, 2003  
for follow-up telephone interview discussion  
sent by Marilyn R. Khorsandi, Reg. No. 45, 744

Ken,

Thank you for discussing in our telephone interview of February 10, 2003 the Office Action regarding the application, attorney-docket number PSTM0019/MRK, and for inviting me to propose a claim amendment pursuant to that telephone conversation.

As we discussed, I am sending a redlined claim amendment proposal and am providing an authorization, pursuant to MPEP § 502.03 as follows: I recognize that Internet communications are not secure. Accordingly, pursuant to our telephone interview of February 10, 2003, I am attaching as a password-protected MS WORD document, a "redlined" proposed claim amendment, using as an illustration Claim 1, in which I have underscored a proposed amendment. The password used is the one to which we agreed during our February 10 telephone conversation. Even though the proposed claim amendment is password-protected, for Internet security reasons, I am not including an identification of the Application Serial Number of the subject application, but identify the application instead with our attorney docket number. I understand that a copy of these communications, including the proposed redlined claim amendment, will be made of record in the application file. I ask and authorize you to open the attached password-protected document to review the proposed claim amendment.

I propose to apply the proposed claim amendment to define the "billing option rule" term in each of the independent claims that include the "billing option rule" limitation (Claims 1, 8 and 15), and in each dependent claim in which the "billing option rule" limitation first appears (Claims 5, 12, and 19).

Rather than ask you to comment in a reply email, I will try to contact you by telephone during your office hours today, Thursday, February 13, 2003, to discuss the proposed amendment.

Proposed Claim Amendment

1. A shipping management computer system, said shipping management computer system programmed to:

apply, in response to a request by any particular user of a plurality of users, a set of billing option rules for each of a plurality of carriers to a single billing option preference input by the particular requesting user, wherein each user accesses the computer system over a global communications network using a client computer device, each user client computer device having an individual electronic connection to the global communications network, and wherein the set of billing option rules for each carrier comprises at least one of: an indication of billing options acceptable to the carrier and a pricing rule for one or more billing options.